

STATEMENT OF PCIA—THE WIRELESS INFRASTRUCTURE ASSOCIATION¹
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Regarding Raised Senate Bill No. 888
AN ACT CONCERNING WIRELESS BROADBAND
Before the Committee on Energy and Technology
February 21, 2013

Proposal:

Raised Senate Bill No. 888 (“S.B. 888”) would do three things to facilitate the deployment of wireless infrastructure. First, Section One would require the Connecticut Siting Council (“CSC”) to render a decision on an application for a new wireless facility in 150 days instead of 180 days. Second, Section One would clarify that, in evaluating the public need of a wireless facility, the CSC must presume that there is a public need for a facility. Third, Section Two would expand the list of wireless facilities allowed to be constructed on water company land to include telecommunications support structures, ancillary equipment, and related access drives and utilities.

PCIA understands that Section Three, which would provide for streamlined facility siting on State-owned property, duplicates efforts that are already being made by Governor Malloy’s administration. If the Committee decides to move forward with this legislation, we would respectfully request that Section Three of the bill be struck.

Comments:

PCIA strongly supports S.B. 888 because it makes simple changes to Connecticut’s statutes that will have a significant, positive impact on the speed and efficiency with which the CSC can site new wireless facilities. This ultimately benefits Connecticut’s citizens.

Wireless infrastructure is a prerequisite for wireless broadband services. As more and more Americans access mobile broadband through wireless devices such as smartphones, it becomes necessary to look for new places in which to deploy wireless facilities to support demand. Therefore, streamlining the process of siting wireless facilities is essential to providing Connecticut’s citizens and businesses with the best possible wireless services, which undergird public safety, health care, education, and job creation. Wireless services are also a key driver of the economy. In fact, Federal Communications Commission Chairman Julius Genachowski projects that the wireless industry will contribute \$151 billion to the economy over the next four years.²

¹ PCIA is the national trade association representing the wireless infrastructure industry. PCIA’s members develop, own, manage, and operate towers, rooftop wireless sites, and other facilities for the provision of all types of wireless, telecommunications, and broadcasting services. PCIA and its members partner with communities across the nation to effect solutions for wireless infrastructure deployment that are responsive to the unique sensitivities and concerns of each community.

² Statement of Chairman Julius Genachowski, *Hearing on the “Oversight of the Federal Communications Commission”* (May 16, 2012), available at <http://www.fcc.gov/document/testimony-chairman-genachowski-fcc-oversight-hearing>.

Wireless services and the wireless infrastructure that supports them play a crucial public safety role, as Connecticut is well aware from its experiences in the major storms of 2011 and 2012. In four years, the number of households in Connecticut which are wireless-only—that is, rely entirely on wireless phones—has increased more than 233 percent.³ With more than 70 percent of all emergency calls placed with a wireless device,⁴ wireless capacity and coverage is essential to ensuring citizens' access to public safety agencies wherever they are, whenever they need it. S.B. 888 recognizes the public safety benefits of increasing network coverage and capacity by adding telecommunications support structures to the list of structures that are permitted to be constructed on water company watershed land.

Nationwide, the rate of adoption of wireless broadband is staggering. Last year, mobile data usage *doubled*.⁵ Wireless phone penetration exceeded 100% for the first time in 2012,⁶ and now more than half of Americans own smartphones.⁷ PCIA respectfully submits that this intense demand, coupled with public safety implications, means that wireless services is an integral part of the fabric of modern society. To ensure that wireless facilities can meet these demands, we must search for ways to streamline the deployment of wireless infrastructure.

Senate Bill 888 facilitates wireless infrastructure deployment in three important ways. First, it establishes a clear timeline, 150 days, for the CSC to render a decision on wireless facility siting applications. Although this is not a substantial change from the current 180 day timeline, it does bring Connecticut into conformity with the Federal Communications Commission's Shot Clock Declaratory Ruling and shortens the evaluation period for the application.⁸ Second, it directs the CSC to presume that a proposed facility meets the public need, which means that the CSC will no longer be required to evaluate the intrinsic societal value of the facility. Together, these changes will bolster investment in wireless facilities by both accelerating and clarifying the siting application process.

Third, it expands the list of wireless infrastructure facilities that may be sited on watershed lands owned by water companies. This vastly increases the area of the State available for siting, which

³ *Compare Wireless Substitution: State-level Estimates from the National Health Interview Survey, 2010-2011*, CENTERS FOR DISEASE CONTROL NATIONAL HEALTH STATISTICS REPORTS 4 (Oct. 12, 2012), available at <http://www.cdc.gov/nchs/data/nhsr/nhsr061.pdf>, with *Wireless Substitution: State-level Estimates from the National Health Interview Survey, January 2007-June 2010*, CENTERS FOR DISEASE CONTROL NATIONAL HEALTH STATISTICS REPORTS 7 (April 20, 2011), available at <http://www.cdc.gov/nchs/data/nhsr/nhsr039.pdf>.

⁴ FCC.gov, *Guide: Wireless 911 Services*, <http://www.fcc.gov/guides/wireless-911-services>.

⁵ *2012 Mobile Year in Review*, MOBILEFUTURE (Dec. 18, 2012), http://www.mobilefuture.org/news/archives/2012_mobile_year_in_review/ ("Year in Review").

⁶ *Wireless Quick Facts*, CTIA—THE WIRELESS ASSOCIATION, http://www.ctia.org/media/industry_info/index.cfm/AID/10323.

⁷ Year in Review, http://www.mobilefuture.org/news/archives/2012_mobile_year_in_review/.

⁸ *In re* Petition for Declaratory Ruling to Clarify Provisions of Section 332(c)(7)(B) to Ensure Timely Siting Review and to Preempt Under Section 253 State and Local Ordinances that Classify All Wireless Siting Proposals as Requiring a Variance, WT Docket No. 08-165, *Declaratory Ruling*, FCC 09-99 (rel. Nov. 18, 2009), *aff'd*, City of Arlington, Texas; City of San Antonio, Texas v. FCC, No. 10-60039 (5th Cir. 2012), cert. granted, review pending 113 S. Ct 524 (2012).

can be used to improve—or in some cases, establish for the first time—wireless coverage in the State. Furthermore, it does so without diminishing Connecticut's ability to protect its water supply, because the CSC and Department of Public Health will retain discretion to evaluate any potentially negative environmental impacts that a facility may have. In sum, this legislation paves the way for Connecticut's citizens to enjoy better coverage, more robust public safety, and increased broadband capacity.

Conclusion:

PCIA strongly supports Senate Bill 888 and urges the Committee to do the same. PCIA thanks the Committee for its consideration of PCIA's comments.